

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

SHAUNA WILLIAMS, et al.,

*Plaintiffs,*

v.

REPRESENTATIVE DESTIN HALL, in his  
official capacity as Chair of the House Standing  
Committee on Redistricting, et al.,

*Defendants.*

Civil Action No. 23 CV 1057

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NORTH CAROLINA STATE CONFERENCE OF  
THE NAACP, et al.,

*Plaintiffs,*

v.

PHILIP BERGER, in his official capacity as the  
President Pro Tempore of the North Carolina  
Senate, et al.,

*Defendants.*

Civil Action No. 23 CV 1104

**JOINT MOTION BY ALL PARTIES TO  
MODIFY SUPPLEMENTAL EXPERT DEADLINES**

NOW COME the parties, jointly and pursuant to Federal Rule of Civil Procedure 6(b), and Local Rule 6.1, to respectfully request modification of the deadlines for supplemental expert reports, supplemental rebuttal expert reports, and related depositions. This request is made due to unforeseen and unintended delays with the finalization and release of data by the North Carolina State Board of Elections relating to the November 4, 2024, General Election, and good cause exists to grant the modifications. In support of this motion, the parties state as follows:

1. On May 22, 2024, the Court approved the parties' Amended Joint Rule 26(f) report setting forth a January 31, 2025, deadline for supplemental expert reports considering electoral results from the 2024 General Election. Doc. 47 at 6; Doc. 48. The Court also set related deadlines of February 14, 2025, for supplemental rebuttal expert reports, and February 28, 2025, for related depositions. Doc. 47 at 5–6; Doc. 48.
2. At the time the parties submitted their proposed Amended Joint Rule 26(f) Report with these proposed deadlines, they anticipated release of statewide precinct-level electoral results in mid-December.
3. Due to unforeseen and unintended circumstances of this election cycle, including delays due to post-election recounts, the statewide precinct-level electoral results data have not yet been released. This data will be analyzed by some of the experts who are anticipated to submit supplemental expert reports. Those experts anticipate that, because of the delay, they will not have enough time to conduct that analysis under the current case schedule.

4. The State Board of Elections anticipates the data to be released within the next few business days.
5. To allow ample time for expert analysis, and to ensure a uniform schedule for supplemental expert briefing and depositions, the parties thus respectfully request to extend the supplemental expert deadlines considering electoral results from the 2024 General Election as set forth in the table below:

	<i>Current Deadline</i>	<i>Requested New Deadline</i>	<i>Latest Possible Deadline Absent a Further Request for Extension</i>
<i>Supplemental Expert Reports Considering Electoral Results from the 2024 General Election</i>	Jan. 31, 2025	6 weeks from the first business day following the data release	April 4, 2025
<i>Supplemental Rebuttal Expert Reports</i>	Feb. 14, 2025	8 weeks from the first business day following the data release	April 18, 2025
<i>Close of Expert Supplemental Depositions</i>	Feb. 28, 2025	10 weeks from the first business day following the data release	May 2, 2025

6. While the parties may need to seek a limited further extension if that data is not released in the next few weeks, the parties have sought the above initial extension of deadlines to ensure the orderly preparation and exchange of

supplemental expert materials and in the interest of alerting the Court to this issue and to seeking modification with ample time for the Court's consideration.

7. No deadline for which a modification has been requested has lapsed.
8. The parties agree and stipulate that the modification of these deadlines as requested will not require modification of any other deadline in the case schedule.
9. All parties join in this motion.
10. This is the first request by any party to modify these deadlines. The NAACP Plaintiffs and Legislative Defendants were previously granted their joint request for permission to take a deposition out of time, Doc. 73, and Legislative Defendants were granted their request for an extension of time to take the deposition of witness Steven Mallison. Doc. 72.

WHEREFORE, the parties respectfully request modification of the deadlines for supplemental expert reports considering electoral results from the 2024 General Election, supplemental rebuttal expert reports, and related depositions for the reasons above and good cause shown. A proposed order is appended to this Motion.

Dated: January 28, 2025

Respectfully Submitted,

/s/ Hilary Harris Klein

Hilary Harris Klein

/s/ Phillip J. Strach

Phillip J. Strach

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*Local Rule 83.1(d)*

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NORTH CAROLINA  
DEPARTMENT OF JUSTICE

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### **CERTIFICATE OF SERVICE**

I certify that on January 28, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Hilary Harris Klein  
Hilary Harris Klein